

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SAMUEL E. BROWN,	:
Plaintiff	:
v.	: Civil Action No. 00-5J
PAUL CROAK, DONALD SHARP, MR.	:
BALLOCK, MR. DROSS, JOHN	:
McCULLOUGH, WILLIAM E. SPECK, J.	:
BARRY JOHNSON, DEAN A. KYLER,	:
HENRY A. TATUM, MARTIN F. HORN,	:
and MELANIE TINSMAN,	:
Defendants	:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on November 16, 2005, docket no. 41, recommending that the defendants' motion for summary judgment, docket no. 37, be granted.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. No one has filed objections and the time to do so has expired.

After review of the record of this matter and the Report and Recommendation, and noting the absence of timely objections thereto, the following order is entered:

AND NOW, this 19th day of December, 2005, it is
ORDERED that defendants' motion for summary judgment,
docket no. 37, is granted. The Report and Recommendation is
adopted as the opinion of the court. The Clerk shall mark this
matter closed.

BY THE COURT:



KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

cc:

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